

Serial No.: 10/814,331  
Atty. Dkt. No. P69605US0

**REMARKS**

Claims 44 through 50 are cancelled without prejudice or disclaimer.  
These changes are believed not to introduce new matter, and entry of the  
Amendment is respectfully requested.

**REJECTIONS UNDER 35 U.S. C. § 112**

The Examiner has rejected claims 44-50 under 35 U.S. C. § 112 as failing to  
comply with the written description requirement.

**REJECTIONS UNDER 35 U.S. C. § 102**

The Examiner has rejected claims 44, 45 and 50 under 35 U.S. C. § 102 as being  
anticipated by US Patent 4433592 to Tatsumi et al.

**REJECTIONS UNDER 35 U.S. C. § 103(a)**

The Examiner has rejected claims 46 and 47 under 35 U.S. C. § 103(a) as being  
unpatentable over Tatsumi et al.

**ALLOWABLE SUBJECT MATTER**

The Examiner has allowed claims 33-43. In light of the rule that Applicant is  
allowed to be his own lexicographer, Examiner notes that claim 33 defines over the  
Hannah reference since the pole of Hannah is not vertical (in the direction of earth  
gravitational force, radial toward the center of the earth and generally orthogonal to the  
earth surface) as defined by Applicant. The remaining claims are allowable due to their  
dependence from claim 33.

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Entry of Amendment under 37 CFR § 1.116

Entry of this amendment under 37 CFR § 1.116 is believed to be in order, inasmuch as the amendment consists only of the cancellation of rejected claims.

Conclusion

All objections and rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the Examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,  
JACOBSON HOLMAN PLLC

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By:

  
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**Attorney Docket: P69605US0**